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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX) MDL CASE NO.: 05-CV-1699
MARKETING SALES PRACTICES AND)
PRODUCT LIABILITY LITIGATION)

ACQUAROLE, et al.,) CASE NO. CGC-06-449463
) MDL Case No. 06-2392 CRB

Plaintiffs,
vs.
) STIPULATION AND ORDER OF
) DISMISSAL WITH PREJUDICE
) AS TO PLAINTIFF THOMAS MEAR

Pfizer, Inc., et al. v. Mylan Laboratories, Inc., et al.

Defendants

)

COME NOW, Plaintiff THOMAS MEAR and Defendants PFIZER, INC., et al., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
AS TO PLAINTIFF THOMAS MEAR**

1 hereby stipulate to the dismissal of Plaintiff THOMAS MEAR from this action, with prejudice,
2 each side bearing its own attorney's fees and costs.

3
4 Respectfully submitted,

5 Dated: September 24, 2009

6 **KABATECK BROWN KELLNER LLP**

7 By: _____
8

Brian S. Kabateck, Esq.

9 Attorneys for Plaintiff THOMAS MEAR

10 Dated: October 27 , 2009

11 **DLA PIPER LLP**

12 /S/
13

14 By: _____

15 Matthew A. Holian

16 Attorney for Defendants PFIZER, INC., et al.

17 **ORDER**

18 PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS
19 SO ORDERED.

20 Dated: OCT 29 2009

21 _____
22 Honorable Charles R. Breyer
23 United States District Court
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